

REMARKS/ARGUMENTS

Claims 49-60, 62-70 and 73 are pending. By this Amendment, claims 71 and 72 are canceled, and claims 49, 60 and 73 are amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

In the Office Action, claims 49-58, 67 and 71 were rejected under 35 U.S.C. §102(e) over Brodsky et al. In addition, claims 49, 50, 53-60, 67-69 and 71 were rejected under 35 U.S.C. §103 over Miller et al. in view of Brodsky et al. Applicant respectfully submits that the above rejections are moot in view of the amendment of independent claims 49 and 60 to incorporate the subject matter of claim 72, which was indicated to be allowable in the Office Action. In particular, claim 72, which depended from claim 71, and claim 71, which depended from claim 49, have been incorporated into claim 49. This subject matter has also been added into claim 60, which Applicant respectfully submits should present no new issues for the Examiner to consider.

Finally, claim 73 has been changed so as to reflect the canceled status of claim 72, which is now incorporated into claim 49.

The presentation of the present Amendment is for the purposes of expediting prosecution. Applicant respectfully reserves the right to file one or more continuing applications to pursue the canceled subject matter and/or broader claims. The fact that Applicant has amended the claims to include the subject matter indicated to be allowable in no way should be viewed as an acquiescence that the prior art rejections previously applied are proper.

In view of the above amendments and remarks, Applicant respectfully submits that all the claims are patentable and that the entire application is in condition for allowance.

JENDICK
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Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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